

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms.

DISPOSITION: May 22, 1951. Default decree of condemnation and destruction.

17376. Adulteration of canned black-eyed peas. U. S. v. 12 Cases * * * .
(F. D. C. No. 30729. Sample No. 2882-L.)

LIBEL FILED: April 2, 1951, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about January 3, 1951, by D. E. Foote & Co., Inc., from Baltimore, Md.

PRODUCT: 12 cases, each containing 24 1-pound, 4-ounce cans, of black-eyed peas at Dunbar, W. Va.

LABEL, IN PART: "Family Brand Black Eye Peas."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect-infested black-eyed peas.

DISPOSITION: May 7, 1951. Default decree of condemnation and destruction.

17377. Adulteration of canned spinach. U. S. v. 578 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 30508, 30538. Sample Nos. 10755-L, 12755-L, 12855-L, 12856-L.)

LIBELS FILED: January 31 and February 8, 1951, Southern District of Indiana and District of Colorado.

ALLEGED SHIPMENT: On or about November 23, 1950, and January 16, 1951, by the Russellville Canning Co., from Russellville, Ark.

PRODUCT: Spinach. 578 cases, each containing 24 1-pound, 11-ounce cans, at Indianapolis, Ind., and 352 cases, each containing 24 1-pound, 2-ounce cans, and 152 cases, each containing 24 1-pound, 11-ounce cans, at Denver, Colo.

LABEL, IN PART: "Hoosier Poet [or "Red and White" or "Brimfull"] Brand Spinach."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms.

DISPOSITION: March 28 and April 12, 1951. Default decrees of condemnation and destruction.

17378. Adulteration of canned spinach. U. S. v. 499 Cases * * * . (F. D. C. No. 30526. Sample No. 11656-L.)

LIBEL FILED: February 5, 1951, Southern District of Ohio.

ALLEGED SHIPMENT: On or about January 24, 1951, by the Kroger Co., from St. Louis, Mo.

PRODUCT: 499 cases at Cincinnati, Ohio.

LABEL, IN PART: "Miss Del Brand Spinach * * * Grown and Packed by Mississippi Valley Canning Co., Osceola, Ark."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms.

DISPOSITION: March 21, 1951. Default decree of condemnation and destruction.

17379. Adulteration of canned spinach. U. S. v. 226 Cases * * * . (F. D. C. No. 30641. Sample No. 516-L.)

LIBEL FILED: February 16, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about November 1 and December 5, 1950, by the Alma Canning Co., from Alma, Ark.

PRODUCT: 226 cases, each containing 48 10-ounce cans, of spinach at Terre Haute, Ind.

LABEL, IN PART: "Farmers Pride Brand Spinach."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of worms.

DISPOSITION: March 30, 1951. Default decree of condemnation and destruction.

17380. Adulteration of canned spinach. U. S. v. 78 Cases * * *. (F. D. C. No. 30663. Sample No. 126-L.)

LIBEL FILED: February 21, 1951, Southern District of Indiana.

ALLEGED SHIPMENT: On or about December 21, 1950, by the Ozark Packing Co., from Ozark, Ark.

PRODUCT: 78 cases, each containing 6 6-pound, 2-ounce cans, of spinach at Evansville, Ind.

LABEL, IN PART: "Pride of Ozark Brand Spinach."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance. (Examination showed that the product contained worms.)

DISPOSITION: April 18, 1951. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

17381. Adulteration of canned tomatoes. U. S. v. Roy Nelson Canning Co. Plea of guilty. Fine of \$150, plus costs. (F. D. C. No. 30106. Sample No. 70763-K.)

INFORMATION FILED: April 11, 1951, Western District of Missouri, against the Roy Nelson Canning Co., a partnership, Abesville, Mo.

ALLEGED SHIPMENT: On or about October 13, 1950, from the State of Missouri into the State of Oklahoma.

LABEL, IN PART: "Smile Girl Brand Hand Packed Tomatoes 10 Oz. AVD. Distributed By Cannery Exchange, Inc. Springfield, Mo."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of maggots and fly eggs; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 28, 1951. A plea of guilty having been entered, the court imposed a fine of \$150, plus costs.

17382. Adulteration and misbranding of canned tomatoes. U. S. v. 996 Cases * * *. (F. D. C. No. 29853. Sample Nos. 65431-K, 65432-K.)

LIBEL FILED: November 17, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about September 30 and October 3, 1950, by Merritt Food Products, Inc., from Sweetser, Ind.